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PATENT

Attorney Docket No. 044481-5017-03

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: **Ramakrishnan et al.**

Application No. **09/003,810**

Filed: **January 7, 1998**

For: **Inhibitory Immunoglobulin Polypeptides  
to Human PDGF beta Receptor**

Group Art Unit: 1644

Examiner: Phillip Gambel

Commissioner for Patents  
Washington, D.C. 20231



**SECOND INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed to the best of the undersigned's knowledge before the mailing date of a first Office Action on the merits for the above-referenced application. Accordingly, Applicants do not believe that a fee is due for filing this paper.

Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form. Two of the documents were cited in an official action from the Japanese Patent Office in a counterpart foreign application. In addition, a third document was cited in a written opinion from the Austrian Patent Office acting on behalf of the Singapore Patent Office in a counterpart foreign application. Applicants submit these references in order to fulfill the requirements set forth in 37 C.F.R. § 1.56(a).

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the above-listed documents are material or constitute prior art. If the Examiner applies the documents as prior art against any claim in the application and Applicants determine that the cited document does not constitute prior art under United

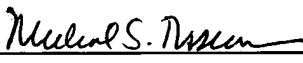
States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the application and the references therein, should one or more of the documents be applied against the claims of the present application.

**EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Dated: May 3, 2000  
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Respectfully submitted  
**Morgan, Lewis & Bockius LLP**

  
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